



WEIL, GOTSHAL & MANGES LLP

Stephen Karotkin (*pro hac vice*)
(stephen.karotkin@weil.com)
Theodore Tsekerides (*pro hac vice*)
(theodore.tsekerides@weil.com)
Richard Slack (*pro hac vice*)
richard.slack@weil.com
Jessica Liou (*pro hac vice*)
(jessica.liou@weil.com)
Matthew Goren (*pro hac vice*)
(matthew.goren@weil.com)
767 Fifth Avenue
New York, NY 10153-0119
Tel: 212 310 8000
Fax: 212 310 8007

Signed and Filed: April 29, 2020

DENNIS MONTALI
U.S. Bankruptcy Judge

KELLER BENVENUTTI KIM LLP

Tobias S. Keller (#151445)
(tkeller@kbbkllp.com)
Peter J. Benvenutti (#60566)
(pbenvenutti@kbbkllp.com)
Jane Kim (#298192)
(jkim@kbbkllp.com)
650 California Street, Suite 1900
San Francisco, CA 94108
Tel: 415 496 6723
Fax: 650 636 9251

Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case, No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**ORDER RESOLVING MOTIONS
TO ENLARGE TIME TO FILE
RESCISSION OR DAMAGE
CLAIM PROOF OF CLAIM
FORMS**

**[Related Docket Nos. 6888, 6898-
6900, 6935, 6975]**

Upon the formal and informal Motions of Richard A. Golden, Michael D.D. Madden, Jan A. Okimoto, and Clifford D. Cooper, filed on the Court’s Docket from April 22, 2020 – April 23, 2020 [Dkt. Nos. 6888, 6898-6900, 6975¹] (the “**Motions**”, and the individuals that filed the Motions, collectively, the “**Movants**”), seeking to enlarge or extend the time to file Rescission or Damage Claim Proof of Claim Forms²; and the Court having jurisdiction to consider the Motions and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24 (N.D. Cal.), and Rule 5011-1(a) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California and consideration of the Motions and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having considered the *Debtors’ Omnibus Response to Motions to Enlarge Time to File Rescission or Damage Claim Proof of Claim Forms* [Dkt. No. 6934] (together with the supporting declaration [Dkt. No. 6935], the “**Omnibus Response**”), in which the Debtors addressed how they intended to resolve the Motions and any similar motions that may be filed by individuals or other similarly situated claimants; and the Court having issued a Docket Order on April 27, 2020 (the “**Docket Order**”), in which it stated that it agreed with the Debtors’ stated approach set forth in the Omnibus Response, subject to certain modifications set forth in the Docket Order; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Debtors shall serve this Order on each of the Movants by overnight mail no later than one (1) business day following entry of this Order.

2. The Rescission or Damage Claims that are the subject of the Motions shall be deemed timely filed, on the condition that, to the extent not already filed, the Movants submit a

¹ The Motion filed as Docket No. 6975 is a duplicate of the Motion filed as Docket No. 6888.

² Capitalized terms not defined herein shall have the meanings ascribed to them in the *Order (i) Denying Securities Lead Plaintiffs’ Motion to Apply Bankruptcy Rule 7023 to Class Proof of Claim and (ii) Extending Bar Date for Certain Holders of Securities Claims for Rescission or Damages* [Dkt. No. 5943], dated February 27, 2020.

1 Rescission or Damage Claim Proof of Claim Form on account of their respective Rescission or
2 Damage Claim(s) within three (3) calendar days of the date of service of this Order. A Rescission or
3 Damage Claim Proof of Claim Form submitted by a Movant shall be deemed timely submitted if
4 filed electronically or postmarked within (3) calendar days of the date of service of this Order and
5 received by Prime Clerk, LLC ("**Prime Clerk**") either (i) via first class mail at PG&E Corporation
6 Claims Processing Center c/o Prime Clerk LLC, Grand Central Station PO Box 4850, New York NY
7 10163-4850, or (ii) electronically through the Electronic Filing System at the Case Website, as
8 described in the Rescission or Damage Claim Bar Date Notice.

9 3. Subject to each Movant's compliance with Paragraph 2 above, the Debtors waive the
10 right to object to any Rescission or Damage Claim submitted by any of the Movants solely on the
11 basis that such claim was not timely filed. The Debtors' rights to object to any Rescission or
12 Damage Claims filed by the Movants on any other bases or grounds are expressly reserved and
13 preserved. Nothing herein shall be deemed to be a precedent with respect to any Rescission or
14 Damage Claims that may be or have been filed by any person or entity other than the Movants.

15 4. The Motions are hereby deemed resolved.

16 5. The Debtors are hereby authorized, in their sole discretion, to resolve on a case-by-
17 case basis and without further Order of this Court any other motions or similar requests seeking to
18 enlarge or extend the time to file Rescission or Damage Claim Proof of Claim Forms, consistent
19 with the procedures set forth herein. Specifically, upon the filing by any claimant or receipt by the
20 Debtors of any such motion or similar request, the Debtors, in their sole discretion, are authorized,
21 but not directed, to enter into agreements with individuals or similarly situated claimants, via email
22 or other means, pursuant to which the Debtors may agree, based on their review of the facts and
23 circumstances of any such request, to (1) grant a limited extension of time to any individual or
24 similarly situated claimant to file or submit a Rescission or Damage Claim Proof of Claim Form; and
25 (2) modify or waive their right to object to the timeliness of any such Rescission or Damage Claim
26 Proof of Claim Form in a manner that is consistent with the relief granted herein, and any such
27 agreement shall be given full effect as if so-ordered by this Court. If any such agreement arises from
28

1 or relates to a motion filed with the Court, the Debtors and the respective movant should jointly
2 notify the Court via email of such agreement, and the Court will then deem such motion as resolved.

3 6. This Order shall be immediately effective and enforceable upon its entry.

4 7. This Court shall retain jurisdiction to hear and determine all matters arising from or
5 related to this Order.

6 ** END OF ORDER **
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COURT SERVICE LIST

Richard A. Golden
9437 Wooded Glen Avenue
Burke, VA 22015

Movant, Dkt. No. 6888

Michael D.D. Madden
14290 Wintu Way
Redding, CA 96003

Movant, Dkt No. 6898

Jan A. Okimoto
P.O. Box 22691
Sacramento, CA 95822

Movant, Dkt. No. 6899

Cliff D. Cooper
305 Fruitvale Rd.
Vacaville, CA 95688

Movant, Dkt No. 6900